



BEFORE THE HOUSE JUDICIARY COMMITTEE
February 13, 2019

House Bill No. 1025 HD1
Relating to Public Lands and Lease Extension

Aloha Chair Lee, Vice Chair San Buenventura and Members of the Committee,

KPAC submits the following written testimony in opposition to House Bill 1025 HD1 following up on oral testimony submitted at the public on February 13, 2019 at 2:01 pm room 325 at the Capitol. This bill would provide the Board of Land and Natural Resources the power to extend leases of public lands for commercial, industrial, resort, or government use.

The majority of the lands held in the public lands trust are “ceded lands” or Hawaiian Kingdom crown and government lands. Professor Williamson Chang stated in a lecture given on October 1, 2014 entitled “Hawaii’s ‘Ceded Lands’ and the Ongoing Quest for Justice in Hawai’i” that the Joint Resolution was incapable of acquiring these Hawaiian Kingdom public lands. Despite this analysis, the former Crown and government lands of the Kingdom of Hawai’i were illegally transferred to the US and as a condition of Statehood was transferred to the State of Hawai’i to be held as a public trust for 5 purposes including the betterment of the conditions of native Hawaiians as defined in the Hawaiian Homes Commission Act, 1920. The Admissions Act further states that any other object besides the 5 purposes shall constitute a breach of trust for which suit may be brought by the United States.

For these reasons Ka Lāhui Hawai’i Political Action Committee (KPAC) has concerns over the use of these lands outside of the 5 purposes set out in the Hawai’i State constitution and actions that could be interpreted as land grabbing especially when the claims of the Kanaka Maoli people to 1.8 millions acres of these lands have yet to be settled. Allowing an appointed Board to make extensions of leases of “public lands” (with little or no public input or notice) for commercial, industrial, resort and even government use up to 99 years would set up lessees as pseudo landowners that may eventually lead down the slippery slope of lease to fee conversions.

Respectfully submitted,

M. Healani Sonoda-Pale
Chair, KPAC